

Application of: Timothy A. Johnson  
Serial No.: 10/629,855  
Filed: July 30, 2003  
Supplemental Response dated March 4, 2008

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of interview and in response to this amendment and the following discussion, is respectfully requested.

Claims 1-12 are currently pending in the application. Claims 1, 5, 7 and 11 have been amended herewith to highlight the already existing differences between the '017 patent and the various thresholds in the claims. The amendments are not meant to add adjectival modifiers but, more importantly, to provide threshold differentiators. The changes are supported by the original specification and do not introduce any new matter.

As discussed during the interview, the '017 patent does not teach the claimed two-part pixel comparison test. While the '017 patent may determine a second threshold number of pixels (n of step 306) whose values have changed more than a third threshold value (T of step 304) between frames, as part of its aggregating process, it does not test (as in test b.i) whether the change for any one pixel between frames exceeds a first threshold. As a result, after the aggregation and at the time of the threshold comparison, the '017 patent cannot tell the effect of any single pixel as opposed to changes in multiple pixels.

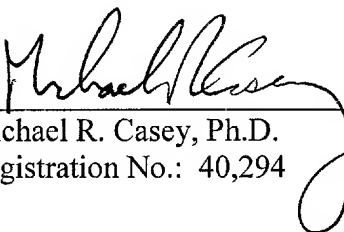
Thus, the '017 patent does not anticipate claim 1 and its dependent claims. Also, claims 7-12 are patentable for reasons analogous to the reasons set forth for the patentability of claims 1-6 above. Therefore, all the pending claims are believed to be patentable over the applied reference.

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It is respectfully requested that this amendments be entered under 37 C.F.R. 1.116(b)(2) as it is an "amendment presenting rejected claims in better form for consideration on appeal." Accordingly, in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and the application is believed to be in condition for allowance.

Respectfully submitted,

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